IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1407 of 1997

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgment? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

HEIRS & L.R. OF DECD. MANGALBHAI B BARIA - BARIA SUKABHAI M & 2

Versus

DAVE PRAVINCHANDRA JAYSHANKER

Appearance:

MR NS DESAI for Petitioner Nos. 1-3

MR RN SHAH for the Respondent.

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 10/03/2004

ORAL JUDGEMENT

Mr.Shah, learned Advocate for the respondent, submits that he has been informed by Mr.N.S. Desai, learned Advocate for the petitioners, that the suit itself has been decided and, therefore, this CRA, which is filed against an interlocutory order in the suit, has

become infructuous.

Considering the aforesaid aspect of the matter as well as even considering the fact that the CRA itself is not maintainable against such an interlocutory order, this CRA is disposed of as having become infructuous. Rule is discharged. No order as to costs.

10th March, 2004 (P.B. Majmudar, J.)

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(apj)